

AN ORDINANCE **99481**

**ADOPTING THE 2003 INTERNATIONAL BUILDING CODE AND
AMENDMENTS.**

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WHEREAS, the Department of Development Services currently enforces the 1997 Edition of the Uniform Building Code published by the International Code Council, Inc. and the local amendments thereto; and

WHEREAS, the 2003 edition of the International Building Code (IBC) has been published; and

WHEREAS, the Building and Fire Board of Appeals and city staff have conducted public meetings regarding the adoption of the 2003 IBC and amendments thereto; and

WHEREAS, the Building and Fire Board of Appeals and the Department of Development Services recommend approval and adoption of the 2003 IBC and its local amendments; and

WHEREAS, all prerequisites required by state statute and the City Charter for adoption of this code and its amendments have been satisfied; **NOW THEREFORE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The 2003 edition of the International Building Code (IBC) is hereby adopted to replace the 1997 edition of the Uniform Building Code. To reflect the adoption of the IBC, Section 6-36 of the City Code is amended by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

Sec. 6-36. Uniform International Building Code adopted.

The building code of the city is hereby revised and amended to conform to the Uniform International Building Code, ~~1997~~ 2003 edition, as amended hereby, and same as amended is hereby adopted as the building code of the city from the effective date hereof and shall govern all activities specified therein within the city. Three (3) copies of the International Building Code, ~~with corrections~~, are incorporated by reference in this article and have been filed in the office of the city clerk, pursuant to section 17 of the Charter, for permanent record and inspection.

SECTION 2. The local amendments of the 2003 edition of the International Building Code are hereby adopted and Chapter 6, section 6-37 of the City Code is hereby amended to read as follows to reflect such amendments:

Sec. 6-37. Amendments.

Certain portions of the International Building Code are hereby amended as they apply to activities within the city. The amendments to the International Building Code, which are hereby approved and adopted, additions, deletions and changes in wording of certain sections, are set out below as follows:

Section 104.6 of the International Building Code is amended by adding Section 104.6.1 to read as follows:

104.6.1 The building official shall examine or cause to be examined every building or structure or portion thereof reported as dangerous or damaged. If such is found to be an unsafe building as defined in this section, the building official shall give to the owner of such building or structure written notice stating the defects thereof. This notice shall require the owner or person in charge of the building or premise, within 48 hours to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof. All such work shall be completed within 30 days from the date of notice, unless otherwise stipulated by the building official. Proper service of such notice shall be by certified mail made upon the owner or his agent. The designated period within which said owner or agent is required to comply with the order of the building official shall begin as of the date he received such notice.

Section 105.2 Items 2 and 6 of the International Building Code are amended to read as follows:

2. Minor repairs to fences not over 6 feet high. Up to 25% of the overall contiguous length of a fence shall constitute minor repair.
6. Walks and driveways not more than 30 inches above grade, not constructed of concrete, and not over any basement or story below.

Section 105.3.1 of the International Building Code is amended to read as follows:

105.3.1 Action on Application. The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application or a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and

ordinances, and that the fees specified in Section 108 have been paid, the building official shall issue a permit therefore to the applicant. No permit shall be issued where there is not a supply of approved water for domestic or fire protection use and adequate to the purposes for which the property is intended to be used.

Section 108 of the International Building Code is amended by adding Section 108.1.1 to read as follows:

108.1.1 Preliminary Plan Review Fees. Preliminary plan reviews may be made when requested. A fee for such review shall be assessed in accordance with the fee schedule adopted by the City of San Antonio. Applicants shall submit written comments summarizing building code interpretations agreed upon in the preliminary plan review, as soon as reasonably possible following the review. The Development Services Department will approve or disapprove such comments and return to applicant as soon as reasonably possible.

Section 108 of the International Building Code is amended by adding Section 108.7 to read as follows:

108.7 Work requiring a permit shall not be commenced until the permit holder or his agent has posted the building permit in a conspicuous place on the premise. Where work for which a permit is required by this code is started, prior to obtaining said permit, the specified fees may be doubled. The payment of such double fee shall not relieve any person from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

Section 108 of the International Building Code is amended by adding Section 108.8 to read as follows:

108.8 Buildings Being Moved. Inspection of structures located outside city limits. An inspection to determine compliance with city requirements shall be made of any building or structure that is located not more than five miles from the city limits and on which an application to move same into the city is pending before the zoning board of adjustment. A fee shall be charged in accordance with the fee schedule adopted by the City of San Antonio.

Section 108 of the International Building Code is amended by adding Section 108.9 to read as follows:

108.9 Reinspection Fees. The reinspection fee charged shall be in accordance with the fee schedule Adopted by the City of San Antonio.

In instances where reinspection fees have been assessed, all fees shall be paid before release of the utilities.

Section 109 of the International Building Code is amended by adding Section 109.3.7.1 to read as follows:

109.3.7.1 Insulation Inspection. To be made after plumbing, electrical rough in and the framing inspection has been approved and an approved insulating material has been installed. A certification from the installer on his/her letterhead is acceptable in lieu of an inspection.

Section 110.1 of the International Building Code is amended to read as follows:

110.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification or physical change of occupant of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the Jurisdiction.

Section 112.1 of the International Building Code is amended to read as follows:

Section 112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official and fire chief relative to the application and interpretation of the building and fire code, and to determine appeals regarding the suitability of alternate materials and types of construction, there shall be and is hereby created a building and fire code board of appeals consisting of eleven persons residing in the city. The findings of the board regarding appeals of modifications shall be advisory in nature. The board shall consist of two structural engineers, two architects, four builders, two lay persons and one person with expertise in fire prevention. The fire chief and building official shall be ex officio members. The building official shall be an ex officio member of and shall act as secretary to said board. But the building official or fire chief shall have not vote upon any matter before the board. The board of appeals shall be appointed by the city council. The term of office shall not exceed two (2) years and shall be limited to three (3) consecutive two-year terms. All vacancies shall be filled for the unexpired portion of the term only. The board shall adopt reasonable rules and regulations for conducting its meetings and shall render all decisions and findings in writing to the appellant with a duplicate to the building official and fire chief. Each application to the board shall be accompanied by a filing fee as set forth in the fee schedule adopted by the City of San Antonio.

Section 112 of the International Building Code is amended by adding Section 112.4 to read as follows:

112.4 Quorums and Majority Vote

1. Six (6) members shall constitute a quorum.
2. The vote of a majority of the members present shall be necessary for adoption of any matter. Each member of the board of appeals shall have one (1) vote.

Section 113 of the International Building Code is amended by adding Section 113.5 to read as follows:

113.5 Any person, firm or corporation, after being served with written notice by the building official, willfully violating any of the provisions of this code shall be deemed guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted. Each violation shall be punishable by a fine not to exceed five hundred (\$500.00) dollars.

Section 113 of the International Building Code is amended by adding Section 113.6 to read as follows:

113.6 Occupancy Violations. Whenever any building or structure or equipment therein regulated by this code or other ordinances which are enforced by the code enforcement agency is being used contrary to the provisions of this code or those ordinances, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this code, or other applicable ordinances.

Section 202 of the International Building Code is amended by adding the following definitions:

Occupant is any person, agent, firm or corporation that occupies a building or part thereof as an owner or a tenant.

Structure is that which is built or constructed, an edifice or building or fixture, or any piece of construction of any kind of a permanent nature, including, but not limited to, reinforced concrete slabs and patios, fences, masonry barbecue pits and carports.

Section 406 of the International Building Code is amended by adding Section 406.1.5 to read as follows:

406.1.5 Private garages which are constructed in conjunction with any Group R Divisions 1 through 4 occupancy shall be equipped with fixed louvers or screened openings or exhaust ventilation to the outside with exhaust openings located no higher than eighteen (18") inches of the floor. The clear area of the louver opening or of the openings into the exhaust ducts shall be not less than sixty (60 s.i.) square inches per car stored in such private garage.

Section 501.2 of the International Building Code is amended to read as follows:

501.2. Premises Identification. Approved numbers or addresses shall be provided for all buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Numbers shall be a minimum 4" in height.

Section 907.2.10 of the International Building Code is amended by adding Section 907.2.10.5 to read as follows:

907.2.10.5 One battery operated smoke detector shall be installed adjacent to each group of sleeping rooms in every existing residential dwelling.

Section 1022 of the International Building Code is amended by adding Section 1022.6 to read as follows:

1022.6 Exterior fire escape. Any existing exterior fire escape which is deemed to be adequate fire escape under the laws of the state or under the provisions of the city fire prevention regulations shall be deemed an adequate means of egress for emergency use, as required by this chapter, and the number of existing exterior fire escapes shall be provided to comply with the fire escape law of the state and the city fire prevention regulations.

Chapter 11 of the International Building Code is amended by deleting and replacing with new Chapter 11 as follows:

Chapter 11 - Accessibility: All buildings or portions of buildings must comply with the accessibility standards adopted by the state of Texas. Projects shall be submitted to T.D.L.R. for review, inspection and approval in accordance with state law.

Section 1503.4 of the International Building Code is amended by adding Section 1503.4.2 and 1503.4.3 to read as follows:

1503.4.2 On zero lot line development where roof projections are allowed by deed covenant or ingress/egress easements, adequate gutters and down spouts shall be provided to direct roof water away from adjacent property. Roof projections shall not extend beyond a point $\frac{1}{3}$ the width of the easement or a maximum of 24 inches.

1503.4.3 Any Group R, or Group U occupancy with roof edges less than 3 feet to any property line, shall be provided with gutters and down spouts to direct roof water from adjacent property.

Section 1704.1 through 1704.2.2 of the International Building Code is amended to read as follows:

1704.1 General. Where application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the owner's agent shall employ one or more special inspectors to provide inspections during construction on the types of work listed under Section 1704. The special inspector shall be qualified individuals, approved agencies or firms who shall demonstrate competence, to the satisfaction of the registered design professional in responsible charge and the building official, for inspection of the particular type of construction or operation requiring special inspection. These inspections are in addition to the inspections specified in Section 109.

Exceptions:

1. Special inspections are not required for work of minor nature or as warranted by conditions in the jurisdiction as approved by the building official.
2. Special inspections are not required for building components unless the design involves the practice of professional engineering or architecture as defined by applicable state statutes and regulations governing the professional registration and certification of engineers or architects.
3. Unless otherwise required by the building official, special inspections are not required for occupancies in Group R-3 as applicable in Section 101.2 and occupancies in Group U that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.

1704.1.1 Building permit requirement. The permit applicant shall submit a list of special inspections indicated on the permit documents prepared by the registered design professional in responsible charge in accordance with Section 106.1 as a condition for permit issuance. This list shall include a complete list of materials and work requiring special inspections by this section, the

inspections to be performed and required qualifications of the special inspectors intended to be retained for conducting such inspections.

1704.1.2 Report requirement. Special inspectors shall keep records of inspections. The special inspector shall furnish inspection reports to the building official, upon request, and to the registered design professional in responsible charge. Individual special inspection reports shall indicate that work inspected was done in conformance to approved construction documents. Discrepancies shall be brought to the immediate attention of the contractor for correction. If the discrepancies are not corrected, the discrepancies shall be brought to the attention of the building official and to the registered design professional in responsible charge prior to the completion of that phase of the work. A final report written by the registered design professional in responsible charge documenting all of the required special inspections, the special inspectors and correction of any discrepancies brought to the attention of the building official and the registered design professional in responsible charge shall be submitted to the building official prior to the building official issuing the certificate of occupancy.

1704.2 Inspection of fabricators. Where fabrication of structural load-bearing members and assemblies is being performed on the premises of a fabricator's shop, special inspection of the fabricated items shall be required by this section and as required elsewhere in this code.

1704.2.1 Fabrication and implementation procedures. The special inspector shall verify that the fabricator maintains detailed fabrication and quality control procedures that provide a basis for inspection control of the workmanship and the fabricator's ability to conform to approved construction documents and referenced standards. The special inspector shall review the procedures for completeness and adequacy relative to the code requirements for the fabricator's scope of work.

Exception: Special inspections as required by Section 1704.2 shall not be required where the fabricator is approved in accordance with Section 1704.2.2.

1704.2.2 Fabricator approval. Special inspections required by this code are not required where the work is done on the premises of a fabricator that is enrolled in a nationally accepted inspections program acceptable to the registered design professional in responsible charge. At completion of fabrication, the approved fabricator shall submit a certificate of compliance to building official upon request and to the registered design professional in responsible charge stating that the work was performed in accordance with the approved construction documents.

Section 1805.2 of the International Building Code is amended by revising the first sentence to read as follows:

Footings shall have a minimum depth as indicated in Table No. 1805.4.2 unless another depth is recommended by a foundation investigation.

Chapter 18 of the International Building Code is amended by revising Table 1805.4.2 to read as follows:

Table 1805.4.2 Pier Foundation Minimum Requirements (1)

Number of				Depth
Floors				Below
Supported	Min. cross section or diameter	Width	Thickness	Undisturbed
by	Wood, Masonry or	of	of	Ground
the	Concrete Piers	Footing	Footing	Surface
Foundation(1)	Wood Masonry Concrete	(In.) (4)	(In.) (4)	(Inches)
1	6" 8"(2) 10"(3)	18	6	24
2	6" 8"(2) 10"(3)	24	10	30

1. Foundations may support a roof in addition to the stipulated number of floors. Foundations supporting roofs only shall be as required for supporting one floor.
2. Masonry units to be fully grouted with 1/2" reinforcing bar in each cavity.
3. 2-5/8" reinforcing bar evenly spaced with the pier.
4. Footing to be reinforced by WWM 6x6-W2.9x W2.9 or minimum four (4) 3/8" reinforcing bars. Should shimming be required between the pier and the sill, shimming shall not exceed one and one half inches (1-1/2") and be of lumber strength equal to the sill.

Chapter 19 of the International Building Code is amended by adding Section 1917 to read as follows:

1917 - Locally Accepted Minimum Standards. The following are locally accepted minimum standards for concrete and reinforcement necessary for grade supported foundations. Commercial, residential and additions and detached accessory buildings over 600 square feet and less than 5,000 square feet for slab on grade foundation unless otherwise required to be designed by an engineer.

Slab on Grade Foundation Requirements

1. Residential minimum slab thickness 4 inches and concrete to be a minimum of 2500 psi. Commercial minimum slab thickness 5 inches and concrete to be a minimum of 3000 psi.
2. Residential minimum beam width 10 inches exterior, 8 inches interior. Commercial minimum beam width 12 inches exterior, 12 inches interior.
3. Minimum beam depth below natural grade - 6 inches exterior, interior to natural grade.
4. Residential minimum beam depth overall - 24 inches exterior, 18 inches interior, from top of slab (12" for commercial).
5. Concrete to be separated from the earth with no less than 6 mil polyethylene or other approved materials.
6. Base materials shall consist of 6 inches of sand, gravel, or other accepted granular materials and the sub grade shall be free of all growth or vegetation.
7. Additions shall be tied to the existing slab by bars of equal size and spacing with a minimum of four (4) 3/4" diameter anchor bolts at each beam abutting existing slab and 1/2" diameter compression rods minimum 24" on center.
8. Reinforcing steel in beams shall be placed at mid-height. Tension and compression of four (4) 3/4" in diameter reinforcing bars, two at top and two at bottom continuous with corner bars. Stirrups 3/8" in diameter. Exterior and interior beams, stirrups shall be 18" on center or 3/4 of depth of beam, not to exceed 30 inches.
9. Reinforcing steel in slabs.

Bar Diameter	Spacing Each Way	Maximum Panel Size
3/8"	12"	10'
1/2"	12"	16'
1/2"	10"	20'

Maximum panel dimension for light weight concrete block or masonry veneer, 16 feet.

Porch slabs and concrete or masonry steps or stoops.

Detached Accessory Buildings Less Than 600 Square Feet

1. Minimum slab thickness 4 inches and concrete to be a minimum of 2500 psi.
2. Minimum reinforcement in slab WWM 4x4-W4.0x4.0 or 3/8" diameter reinforcing bars @ 14" on center, placed at mid-height.
3. Minimum reinforcement in beams for frame construction two (2) 1/2" diameter reinforcing bars, one at top and one at bottom well tied to the turned down mesh. For masonry or veneer construction, four (4) 1/2" diameter reinforcing bars, two at top and two at bottom with 3/8" diameter stirrups 24" on center.
4. Beam width 8 inches. Beam depth below natural grade 6 inches. Minimum overall depth 12 inches.
5. Porch slabs and concrete masonry steps shall be supported at the intersection with the building by metal anchors, piers, or a supporting ledge on the foundation wall, or a beam completely around the slab.
6. Base material shall consist of a minimum of 2" sand, gravel or other accepted material.

Walks and Driveways

1. Minimum slab thickness 4 inches and concrete to be a minimum of 2500 psi.
2. Minimum reinforcement WWM 6x6-W2.9xW2.9 welded wire mesh or its equivalent, placed at mid-height.
3. Expansion joints shall be provided at 80 foot intervals.
4. A trowel cut at least 1/2 inch deep in the slab of walks at approximately 4 foot intervals and 20' for driveways.
5. Expansion joints shall be provided at garage aprons and between new and existing concrete.
6. Minimum of 2 inches of sand or gravel base.

Patios, Uncovered and Roofed

1. Minimum slab thickness 4 inches and concrete to be a minimum of 2500 psi.
2. Minimum reinforcing WWM 6x6-W2.9xW2.9 welded wire mesh or its equivalent.
3. Base material to be a minimum of 2 inches for uncovered patios and 6 inches for roofed patios.
4. Roofed patio foundations shall be the same as for detached garages.

Section 3306.7 Exception of the International Building Code is amended by numbering the exception to read Exception 1 and by adding Exception 2, to read as follows:

EXCEPTION 2: Pedestrian canopies for construction or demolition of buildings not exceeding thirty-six (36) feet in height or three stories, whichever is less, may be constructed of metal scaffolds of two (2) inch tubing adequately braced with 1-1/4 inch tubing. The passageway shall not be less than thirty-nine (39) inches in width at any point with a head room not less than eight (8) feet. The scaffold ends shall be braced by approved diagonal cross bracing maintaining a maximum of eight (8) feet between ends. A solid tightly sheathed cover between scaffold and job site to be not less than 1/2 inch ply board with railing when required by this section. The roof shall be tightly sheathed with a minimum of 2 inch nominal wood planking or equal.

SECTION 3. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 4. No other provision of the City Code is amended hereby. All other provisions shall remain in effect.

SECTION 5. It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Texas Revised Civil Statutes Annotated as amended Title 5, Chapter 551, Government Code.

SECTION 6. The City Clerk is directed to publish notice of this ordinance in accordance with Section 17 of the City Charter.

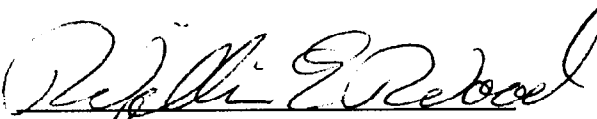
SECTION 7. The publishers of the City Code are authorized to amend the City Code to reflect the changes adopted herein.

SECTION 8. This ordinance shall become effective August 21, 2004 but in no case less than five days from the date of publication, whichever is later.

PASSED AND APPROVED this 22nd day of July 2004.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney